

RECOLLECTION NO. 3:05-CV-631-F  
(cont'd)  
2005 AUG 18 Recommendation of the magistrate 8-8-05  
2005 AUG 18 Recommendation of the judge.

This is A.P. HACK  
IS DISTRICT  
WHEELER  
Walter Lamer Avery HIS #184038  
I received documents from the United  
States district courts concerning Complaint  
that I filed on June 30<sup>th</sup> 2005 for  
being held past my EOS date.  
After reviewing the documents I would  
like to agree with the recommendation  
of the magistrate Judge that the  
complaint against the County Detention  
Facility, the Co. County Justice Center and  
the Honorable Jacob Walker III be  
dismissed due to the fact that I was  
shown my transcript from the Honorable  
Judge Walker III court room on Oct.  
26, 2004, (original Court date) which  
stated that I did receive jail credit  
and was to be released on June 5<sup>th</sup>  
2005. How ever after filing 1983 forms  
I was told that major torbert made  
a decision that I not be released on  
my EOS date. I would like to  
pursue C.U.S. & Sheriff Jay Jones  
and major C. torbert. I was aware of  
the fact that I had a hold on me in  
Albion for fines. After being held 34 days  
more than sentence handed down by Judge

I was released with the hold only to be picked back up 14 days ~~later~~ later. If I had been released on my original ~~original~~ E.O.S date I would have 63 days toward my fines. Instead I was released to get a job only to have it taken away.

I writer James Avery Request that this case with respect to the remaining defendants (Sheriff Jay Luebs - Major C Tolent) be referred back to the magistrate judge for additional proceedings  
8-13-05

James Avery

3:05cv631

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